JUSTICE FOR VICTIMS OF CRIME- A COMPARATIVE STUDY

SHORT SYNOPSIS

Submitted in partial fulfillment of the requirement of the degree of

DOCTOR OF PHILOSOPHY

To

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Declared as State Private University under section 2f of the UGC act, 1956

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DECLARATION BY THE SCHOLAR

I hereby declare that the short synopsis "**JUSTICE FOR VICTIMS OF CRIME – A COMPARATIVE STUDY**" being submitted in partial fulfillment of the requirement for the degree of Doctor of Philosophy in department of Law under Faculty of Law of Manav Rachna University, Faridabad during the academic year 2020-21.

It is a bona-fide record of original work carried out under the supervision of Dr. Versha Vahini AND has not been submitted in full or part to any other university or institute for degree or diploma. Further, it is certified that the short synopsis is within the plagiarism limit and copy of the same is attached as per University norms.

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ABSTRACT

Victims are an indispensible part of our Criminal Justice delivery system. They are ones who set the criminal law in motion. As a measure of satisfaction from the criminal system, victim is only expected to get is the punishment perpetrated upon the offender. The outcome of the justice dispensation machinery should not only be punishment to the offender as deterrence against crime but also the restitution of victim. In India, victim suffers more humiliation as compared to accused in respect of their rights and proceedings and on same, virtually have no rights in criminal proceedings too. Victim is represented by the State during trial and when offenders are not prosecuted, victims again are left helpless, suffering loss and injustice silently. All this injustice falls on victims' part, and then they seek self-restitution by taking the law in their own hands without thinking about consequences.

The recommendations made by the Law Commission and Malimath Committee have emphasized some core problems such as witness protection, compensation to victim and role of victims in investigation. Unfortunately, development has been slow with regard to operational legislation. The Code of Criminal Procedure clearly specifies, in some of the provisions, the status of victims in criminal proceedings. Nevertheless, these are not adequate for the assembly to resolve the amount of issues encountered by victims of crime before, during and after trial.

In India, no legal rights have been accorded to victims and in same manner, no special attention is paid towards protection of witnesses or any legal benefit provided for their safeguard. Unfortunately, the issue of no defense to witnesses leads to withdrawal and insecurity at the same time having no proper measures for their safety and security. We must act before justice loses its meaning and worth in the public eyes. It brings us to the viability and indispensability of bringing a place a witness protection system, both by fortifying the existing provisions of laws and by bringing new legislation.

Keywords: Rights of Victim, Crime Victim, Witness, Adversarial system, Criminal Justice System.

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1. INTRODUCTION

Tears shed for the accused are traditional and 'trendy' but has the law none for the victim of crime, the unknown martyr?

By Justice Krishna Iyer[1]

The question and revealing remarks by Hon'ble Justice Krishna Iyer, on plight of victims in criminal justice system clearly depicts the ignorance of the criminal justice system towards the victims.

In our present adversarial system, the accused remains to be more privileged pushing the aggrieving victim into a state of extreme quandary. In fact, it is the victims who need care and protection at every stage of the criminal proceedings as being vulnerable out of the trauma they underwent. While the accused's rights are protected and safeguarded with all the resources available at the expense of State both constitutionally and procedurally, the victim on the other side are deprived of all basic rights, support and respect from the state machinery, thereby pointing towards the weakness of criminal jurisprudence in contemporary contexts. At this juncture, one needs to introspect how this malignancy in the criminal justice system can be treated to bring back the shaken trust of the ordinary law-abiding citizens in general and victims, in particular, in the criminal justice system. It is crucial to align the expectation of the victim, who brings the case/ incident to the notice of the state and expects a speedy redressal with that of the substantive and procedural laws governing the criminal justice administration. This demands radical reforms in the criminal justice system by transforming it from the one based on 19th century notions to the more contemporary one allowing victims to play active role in justice delivery system, broadly may be termed as Crimino-victim justice system. This requires fresh look at the Criminal-Victim Dichotomy and paradigm shift from a state/ society-centred notion to a human rights based approach for integration of victim rights in criminal law and criminal justice delivery system.

A crime victim is an important witness for the prosecution along with other evidences. However, the accused gains several rights on their side; the victims are deprived of their right to safeguard and protect individual interest during criminal proceedings. In many of the cases, victims are

[1] Justice Krishna lyer, Hon'ble Judge, Supreme Court of India in his writing "*The Criminal Process and Legal Aid*", Published in Indian Journal of Criminality. P.10.

found so helpless, their complains are not being heard or registered in police stations and they suffer injustice silently.[2]

This concept of Crimino-victim justice system is widely used in studies conducted on restorative justice. The scholar wishes to use this concept to understand the gaps in the criminal justice administration and recommend measures to plug those so as to make the procedure responsive to the victim's desire and aspirations.

This work will be focusing on the ground reality from practical experiences of the scholar being Public Prosecutor highlighting the plights of the victims in the adversarial system which is in a way hostile to the victim, at times making them a mere spectator during criminal trial and reducing their role to one among the prosecution witness ignoring the very important facet that it is the victim who sets the criminal law in motion and deserved all the protection from the government machinery at all the stages of trial.

2. LITERATURE REVIEW

This review of literature aims to recapitulate works on victim of crime, witness protection and the problems faced by the victim in the criminal adjudication system during criminal trial and with interaction with Police, Prosecutors, Court, Lawyers and other stake holders. In doing so, law commission reports, judicial pronouncements, legal provisions, victim oriented schemes, books, research papers and articles were studied to analyse the development of victim jurisprudence in the last decade i.e. after passing of The Criminal Law (Amendment) Act, 2008 and studies its impact in present scenario. The review also looks into the witness protection systems in other jurisdictions, particularly USA, U.K. and Australia.

2.1 HISTORICAL PERSPECTIVE

In last quarter of the 20th century, particularly after the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985, victim's notion got in a different and a predominant way. This UN Declaration, known as Magna Carta for crime victims, has now set minimum standards for the protection of crime victims.[3] The UN Declaration also desired certain

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[2] Kumaravelu Chockalingam, *"Measures for Crime Victims in the Criminal Justice System"*, available at https://www.unafei.or.jp/publications/pdf/RS_No81/No81_11VE_Chockalingam.pdf (last visited on October 08, 2020).

[3] The UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985 *available* at: https://www.unodc.org/pdf/compendium/compendium_2006_part_03_02.pdf, (last visited August 17, 2020).

member countries to guarantee rights of victims of crime through their perspective and respective legal systems. The UN Declaration has recognized the four major needs of crime victims, specifically:-

(1) Access to fair justice and well- treatment
(2) Restitution
(3) Compensation, and
(4) Assistance.

Traditional justice systems have not been appropriate from the view of the victim; mobilization of the community against the aggressor depended largely on the social power of the victim and the victim's social group. Even, the modern society has search for to deliver extended protection to the victim through its criminal laws and systems of social security.[4]

The UN Declaration has been adopted by various countries such as the United States, Canada, England, New Zealand, etc. and exclusive law has been enacted to resolve the need for victims-oriented criminal justice programmes. Such law incorporates, as stipulated in the Declaration, the basic rights of victims. India, however, has struggled until recently to implement or obey any such measure.[5]

Understanding who is a Victim of Crime: The Criminal Law (Amendment) Act, 2008 introduced 'victim's new definition as the impact of the UN Declaration and the efforts of Malimath Committee. As per new definition[6], it defines *'victim'* as *"a person who has suffered any loss or injury caused by reason of the act or omission or any such injustice as a consequence, the accused person has been charged"*. It clearly shows that prior to 2008, there was no definition of victim. There was no focus of law on victims. This definition in comparison with the definition of 'victims' within UN Declaration looks narrow in approach. The UN Declaration treats a person as a victim in two situations namely (i) victims of crime and (ii) victims of abuse of power.

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[4] Justice for Victims, available at https://www.unodc.org/pdf/criminal_justice/UNODC_Handbook_on_Justice_for_victims.pdf, (last visited October 09, 2020)."

[5] Criminal Injuries Compensation Act, 1995 (U.K.), Victims and Witnesses Protection Act, 1982 (U.S.A.), Victims Rights and Restitution Act, 1999 (U.S.A.), Witness Protection Act, 1996 (Canada)."

[6] Section 2 (wa) of the Cr.PC.

The *first category* covers those cases where injury is inflicted by any other person whereas the *second category* of victimization is a result of state action. But regrettably, our focus seems to be on the first category only than the second one. However, in case of ***Ram Phal v. State***[7] the Hon'ble High Court of Delhi has considered the scope of definition of victim and summarized that 'victim' as defined under section 2 (wa) Cr.PC must include *"a person who has suffered harm caused to the mind"*. The legal heirs which are included within the definition of the 'victim' cannot be exempted because of emotional damage suffered by the victim.

Who can be a Victim: Anyone of us can be a victim of crime. In India, the extent of victimization is very vast. Victims can not only be categorized as the victims of traditional crimes like murder, rape, robbery, theft etc; but also victims of organised and company crimes, sufferers of gender based atrocities (crime against women and children), sufferers of economic exploitations (bounded labour, child labour and human trafficking etc.), victims of abuse of power (illegal detentions, torture, custodial deaths in police and judicial custody and police encounters etc.), victims of human rights violations and so forth.

Some other types of victimization are same-sex intimate partner violence, Cyberbullying, Identity Theft Victimization, Human Trafficking, Homicide victims, Mental Illness Victim, Incarcerated victims and Victims having disabilities.[8]

Needs of the Victim: Broadly speaking, the victim needs following provisions for himself to survive in the criminal justice system:

i. Respectful and Dignified Treatment from time of reporting offence till trial.
ii. Protection from threats, vengeance and further damage by accused during investigation and court proceedings. It starts forthwith when the victim is trying to access the Criminal Justice System.
iii. Support including physical and psychological assistance and practical assistance and guidance.
iv. In order to access justice, victims should have knowledge about their rights and should have basic understanding as how to participate in the trial.
v. Steps to be taken to minimise the inconvenience to victims, to protect their privacy and ensuring their safety and security.

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[7] (Criminal Appeal 1415/2012) dated 28-05-2015.
[8] Leah E. Daigle and Lisa R. Muftic, *Victimology: A Comprehensive Approach, 2nd Edn., 2020.*

vi. Ensuring speedy trial for quick disposal of cases.

vii. Compensation and rehabilitation.

So, how can the victims know the ethics of law who are illiterate, poor, coming from rural areas. Now, here comes the concept of VICTIMOLOGY, which seeks to deal with the issues relating to welfare of the victim in the criminal justice system.

Status of Victim in Indian Criminal Justice System: A statement made by Frank Futer, J. in the case of *Jennison* v. *Baker*[9] that *"Law should not sit limply, while those who defy it go free and those who seeks its protection lose hope".* Obviously, it is the victim who seeks protection. It is the victim who knocks the door of Criminal Justice System. He complains that some injury has been caused to him and justice should be done to him. The status of the victim in our justice system and conditions of our criminal justice system can be understood with tw*o statements:*

> *"The justice delivery mechanism appears to be on the verge of collapse due to diverse reasons. The most disturbing feature of our criminal justice system is that gradually the crime rate is increasing while the conviction rate is not much encouraging. The question arises why and what to do?"*[10]

We have borrowed our criminal justice system from the Britishers, which is mainly aimed at proving the guilt of the accused. It is concerned with conviction and Acquittal. The position of victim in our system is not more than a witness who has to appear before the court when he is summoned. The victim, having no participation in the adjudicatory process, is by and large a forgotten entity. Even when called as a witness, he is subjected to long delays, adjournments and humiliation. Victims are often victim of criminal justice system; a sort of secondary victimization. In other words, those who have come to seek justice are victims of the Criminal Justice System. In this regard, reference can be made to the Government Notification dated 24th November, 2000 constituting Committee headed by Justice Malimath which makes a frank admission that *"People by and large have lost confidence in the Criminal Justice System…Victims feel ignored and are crying for attention and justice".*

Since a decade has been passed after the passing of Criminal Law (Amendment) Act, 2008 but nothing remains changed and position of victim is getting worse in the process of adjudication.

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[9] (1972) 1 All ER 997.

[10] As stated 10 years back by Justice Y.K. Sabharwal, Former CJI.

2.2 CHALLENGES FACED BY VICTIMS DURING CRIMINAL TRIAL

In India, the victim faces numerous problems. From lodging FIR to facing injustice through criminal proceeding with no proper and efficient rights, it is the police who consider the victim's complaint first and till then victim has no role to play and feels so vulnerable. Below are the mainstream problems faced by the victim before, during and after trial.

1) **Problems in reporting incidence**: The scenario begins from reporting incident in form of complain at police station. The reporting stage, the authorities need to act in a victim-sensitive manner, they must understand the nature of crime and status of victim. However, the decision to report a complaint or crime to the police involves complex interrelated factors such as the personal information of the aggrieved or the complainant, the harshness of the crime, relationship between the victim and the offender, the likelihood of compensation, personal injury or damage/damage to property and attitude towards police and judiciary.

2) **At Pre-Trial Process:** The victim comes in contact with the police after being victimised having lots of expectation to get justice for his cause. In this regard, clause 4 of the UN Declaration states that *"victims should be treated with compassion and their dignity must be respected. Victims of crime should have immediate access to the state machinery to report their complaint".* However, under the Code of Criminal Procedure, victim/informant can give his complaint in writing duly signed if a cognizable offence has been committed and get a copy of the FIR. If the police officer neglects in recording a case, the victim/informant is allowed to bring such negligent conduct by sending a representation by post to the concerned Superintendent of Police.

   In ***Lalita Kumari* v. *Govt. of U.P.***[11], the Supreme Court has made registration of FIR mandatory in all cognizable cases and directed that departmental action must be taken against erring officers who do not register FIR in such cases. Alternatively, the victim/complainant can directly approach the Magistrate by filing an application u/s 156 (3) Cr.PC. The Magistrate may initiate proceeding on such complaint and if satisfied, can order registration of FIR.

3) **At the State of Investigation**: The role of victim is confined to lodging of complaint and to provide with evidence when called by prosecution. Victims do not have right to seek information on progress of the investigation till the charge sheet is filed. The stage between filing of FIR and

[11] (2014) 2 SCC 1.

submission of police report/charge sheet does not recognize participation of crime victims at all. Even after filing of charge sheet, the magistrate/judge charges paving way for the trial, if necessary. However, at this stage crime victims, require the maximum assistance but unfortunately, the law is silent on it too. There is requirement of necessary changes to be constructed in the existing laws to allow victims to play their active role in prompt investigation and prosecution of the case and they should not be neglected. This can be acknowledged by facilitating victims with right to information relating to the stages of investigation and trials.[12]

The Malimath Committee also recommended that the victim be given the right to know the status of investigation and to move to the court to issue direction for further investigation on certain matter or to a supervisory officer to ensure effective and proper investigation to assist in the search of truth.[13]

4) **Victim vis-à-vis Prosecution:** The Public Prosecutor on behalf of the State conducts the prosecution in a criminal trial. He is the officer of the court with duty to assist court in arriving at a decision. As per Section 301 Cr.PC, "*the Prosecutor is in charge of the case and conduct prosecution and victim's counsel shall act under the directions of the Prosecutor"*. Such advocate does not have independent right to represent. Here also victim has no role to play. The victims advocate has an extremely limited role to play wherein he "*assists*" the prosecutor rather than represent the interests of the victim before the court. The Supreme Court has stated that the role of private counsel in such cases is more or less that of a junior counsel who assists a senior. He cannot act independent of Public Prosecutor.[14] In ***Rekha Murarka*** v. ***State of West Bengal Ors.,***[15] recently the Apex court has ruled that *"victim can engage a lawyer to represent him/her in a criminal trial but the lawyer wouldn't have the right to examine a witness or advance arguments in courts".*
5) **Victim and Court*:*** At court, the case is actually prosecuted, not by the police, but by public prosecutors acting on behalf of police. Victims visit court, in any terms to give evidence or just to watch the proceeding, analyse that police officials and prosecutors involved in the investigation and proceedings do not reach up to their significant expectations. As whole, when observed, it seems as the victims and issue being isolated and confused at court, with no

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[12] Government of India, Report: Committee on Reforms of Criminal Justice System, (Ministry of Home Affairs, 2003) available at:- http://www.mha.nic.in/pdfs/criminaljusticesystem, (last visited August 27, 2020).
[13] *Supra* note 9 at p-10.
[14] *Shiv Kumar* v. *Hukum Chand* (1999) 7 SCC 467.
[15] Criminal Appeal no. 1727/2019 in SLP (Criminal) no. 7848/2019 decided on 20th November, 2019.

knowledge of what required to be done or what they are allowed to do. They do not realize and understand what is happening around them and it is quite tough to make them understand and explain the procedural doubts happening in and around them.

6) ***Abuse of Power*:** Victims are the individuals who collectively suffered harm including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that do not yet constitute violations of national criminal laws but of internationally recognized norms relating to human rights.[16] In particular, remedies should include restitution or compensation, medical, psychological along with social assistance and support. States should responsibly and periodically review the existing legislation and practices.

Unfortunately, in India the police are still not oriented to meet the expectations of the victims and lack certain qualities to deal with victims' rights as per the UN Handbook on Justice for Victims.[17] The police at the field level who are in actual contact with the victims in current crime scenario are blissfully ignorant of the international developments in the field of Victimology and the victims deserve a way better treatment from the police comparatively, they are actually treated. The ill-treatment of police towards victims also forms one of the basis negative perception of it.

Drawbacks of Our Indian Justice System: The victim suffers due to our distorted and imbalanced justice system. The fundamentals of our criminal justice administration have heavily loaded in favor of the accused as right to a fair trial is an inherent right of the accused in the administration of criminal justice[18]. The accused is assumed innocent during trial his case till the time he is convicted by the court. It is upon the prosecution to discharge the burden of proving the guilt of the accused beyond reasonable doubt in each and every case. The accused can use tactics due to which trial can get delayed by which evidence could be affected. With its inadequate evidence, the prosecution stands handicapped and accuse escape easily with the benefit of doubt. The high acquittal rate leaves doubt in one's mind that crime today is high-profit, low-risk business. This is because of faulty and slipshod investigation depending on the socio-cultural status, economic power and political influences of people, police may adopt

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[16] Basic Principles of Victims of Crime with including the challenges and current scenario in India, available at http://www.legalservicesindia.com/law/article/1241/5/Basic-Principles-of-Victims-of-Crime-with-including-the-challenges-and-current-scenario-in-India, (last visited October 10, 2020).

[17] *Ibid*.

[18] Gaurav Kaushik,"Future paradigms of Indian Criminal Justice System" 2005 *Criminal Law Journal* 4413 (M.P), p.35.

differential attitudes, violating equality and human dignity. Accumulation of cases and delay in disposal of cases has shattered the very confidence of litigating public in the capacity of court to redress their grievances and to grant adequate and timely relief.[19]

Often witnesses become untraceable. Sometimes they are just eliminated. Practically, judges are hardly interested to recognize the truth; they are more concerned about the evidences. The disconnection between truth and evidence is the stark reality of the legal system.[20]

However, there are some factors which are responsible for weak police administration such as outdated police structure, insufficient man power, lack of sophisticated weapons and modern equipment, unprofessional environment, lack of training. Even in the Police Act, 1961, there is no special provision of protection for the police itself. Moreover, defective police investigation, prevalence of corruption, poor rapport between prosecution and police, malicious nexus between politicians, police and criminals, wrong police attitude, public view towards police and problems in enforcement of human rights are major reasons leading to defective police administration.

Similarly, questions on the credibility of judiciary are being raised due to mounting arrears of cases, delay in disposal and high cost of obtaining justice, poor treatment and ignored protection of witnesses. The low number of sufficient fast track courts, mobile courts in rural areas, poor treatment of witnesses and corruption in judicial system also shows defective judiciary.

2.3 LEGISLATIVE PROVISIONS

In India, the picture appears to be quite dismal. Almost 41 years back, V.R. Krishna Iyer, J. in his typical style observed in the case "*Rattan Singh v. State of Punjab"*[21] that *"…victim reparation is still the vanishing point of our criminal law…"*.

Recommendation of Law Commission[22]

The Law Commission in its 14th Report published in year 1958 referred to 'witness-protection', but that was in a limited sense. That related to proper arrangements being provided in the Courtrooms, the proper finance of travelling allowance, their daily allowance etc. to be allocated.

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[19] Arun Jaitley, "House for Jessica, Priyadarshini", *Indian Express*, July 5, 2006, p. 3.
[20] Austin Sarat, *Law, Violence, and the Possibility of Justice*, 2001, New Jersey: Princeton University Press, p-83.
[21] (1979) 4 SCC 719.
[22] H.Suresh "New Law Needed for Witness Protection" 4 *Combat Law,* Vol.4, Issue 1 (2004).

The National Police Commission Report, 1980 dealt with the inadequacy of daily allowance for the witnesses. In 1996, the Law commission of India in its 154th Report addressed the "*need for victim oriented approach to justice delivery system and recommended that the needs and rights of victims of crime should receive priority attention in the total response to crime"*. It was also noted in the Report that *"at present, the victims are the worst sufferers in a crime and they don't have much role in the court proceedings. They need to be given certain rights and compensation, so that there is no distortion of the criminal justice system*."[23]

The 178th Report of Law Commission referred the fact of witness turning hostile and to prevent witnesses from turning hostile, recommended insertion of section 164(A) of Cr.PC regarding recording of statements by the Magistrate of persons whose evidence is essential for the just decision of the case.

The National Commission to Review the Working of the Constitution (2002)

The Commission to review the working of the Constitution (Government of India) has advocated a victim-orientation to criminal justice administration, with greater respect and consideration towards victims and their rights in the investigative and prosecution processes. The provision for greater choices to victims in trial and disposition of the accused, and a scheme of reparation/compensation particularly for victims of violent crimes.

The Justice Malimath Committee on Reforms of Criminal Justice System (Government of India, 2003)

The first and foremost serious attempt to bring the victim into picture and to improve the health of Criminal Justice System was made by Justice Malimath Committee in its report which suggested many recommendations of far reaching significance to improve the position of victims of crime in the CJS, including the victim's right to participate in cases and to adequate compensation. Some of the significant recommendations include:

- In case the victim died, his or her legal representative, shall have the right to challenge as a party in every criminal proceedings, where the offence is punishable with seven years imprisonment or more;

[23] Law Commission of India, 154th Report on 'The Code of Criminal Procedure, 1973' *available* at http://lawcommissionofindia.nic.in/101-169/Report154Vol1.pdf, (last visited September 03, 2020).

- In selected case, with the due permission of the court, an approved voluntary organization shall also have the right to implead in court proceedings;
- The victim has a right to be represented by an advocate and in case, the victim cannot afford a lawyer, the state has liability to provide with prosecutor;
- The victim's right to participate in criminal trial shall include the right to produce evidence; to ask queries to the witnesses; to be informed of the status of investigation, to be heard on issues relating to bail and withdrawal of prosecution; and to advance arguments after the submission of the prosecutor's arguments;
- The right to incline toward an appeal against any adverse order of discharge of accused, sentencing for a lesser offense, granting insufficient sentence, or giving insufficient compensation;
- Legal services to victims may be extended to include psychiatric and medical help, interim compensation, and protection against secondary victimization;
- It suggests a Victim Compensation Law, which will be administered by the Legal Service Authority in respect of providing with Victim Compensation Fund.

However, the report, which was submitted in 2003, remains gathering dust in the archives of the Law Department for almost 5 years.

Amendment in Cr.PC by Criminal Law (Amendment) Act, 2008

It was the impact of Criminal Law (Amendment) Act, 2008 by which Cr.PC was further amended redefining certain rights of the victim like **insertion of section 357-A** which stipulates about an exhaustive Victim Compensation Scheme and says that *"every State Government in consultation with the Central Government is required to prepare a scheme providing funds for the purpose of compensation to the victim or his dependent."* Some other section were inserted like Section 2(wa), Section 24(8), Section 156(3), Section 157(1), Section 357 A, Section 357 A (3) and Section 357 A (4). Apart from that Section 372, 377 and 378 are available under Cr.P.C and in other laws, which actually also be needed certain changes from the victims absolute right point of view but so far as it does not takes place.

The Code of Criminal Procedure (Amendment) Act, 2008 partially accepted this suggestion and granted some rights to the victims of crime. Under Section 24(8) of Act, introduced victim's right to a private counsel. But steady progress has been made towards securing justice for victims in this country.

In ***Delhi Domestic Working Women's Forum v. Union of India***[24], "the Apex Court called for the right to legal assistance to victims of sexual assault at the pre-trial stages".

In ***Mallikarjun Kodagali (Dead)*** v ***The State of Karnataka***[25], the Court recognized that under the criminal justice system, the rights of the accused prevail over the rights of the victim. The Supreme Court called not limiting to the introduction of a victim impact statement in order to guarantee participation of the victim in the trial proceedings, but also reinstated the victims right to appeal against an adverse order made in any suit.

Further, section 195-A Cr.PC empowers a victim / witness to file a complaint in case of threatening. On the other hand, section 195-A IPC provides for threatening or inducing a person to give false evidence is punishable with imprisonment up to 7 years or with fine or both. Their statements have to be recorded in presence of family member i.e. his mother or sister at their home and the trial has to be conducted in camera as far as practicable a woman judge or a Magistrate.

Another important right that has been conferred on the victim, is **right to appeal** under proviso to section 372 Cr.PC. It says that the victim can challenge the decision of court in 3 situations:

1. In case of Acquittal
2. In case of conviction of lesser offence
3. Inadequate compensation

Constitutional Protection to Victims

Arguments increased to bring the life of that particular person under Article 21 of the Constitution by arguing that victim is having a right to live a dignified life. No person can question him/her about the offences/incidents happened against her. Later, again DPSP were added which provided for compensation. In this regard, Legal Services Authority is given responsibility wherever there is a question of victim compensation to verify the loss suffered by him.

Terrorist and Disruptive Activities (Prevention) Act, 1987 and Prevention of Terrorism Act, 2002

It is ironic that draconian laws like Terrorist and Disruptive Activities (Prevention) Act, 1987, and Prevention of Terrorism Act, 2002, provided for protection of witnesses. The prosecution

[24] (1995) 1 SCC 14.
[25] (2019) 2 SCC 752.

and the Court direct and specify that clearly that the name, identity and address of the witnesses must be kept secret. The Court could even evade from mentioning the names and addresses of the witnesses in its order, decree or judgment. It is generally perceived that these provisions were incorporated not with any concern for the witnesses, but to prevent the accused from preparing an effective defense and to escape or deny fair trial[26].

Under Indian Evidence Act, 1872

In India, in most of the important and significant cases involving rich, influential persons or corrupt politicians, turns crucial witnesses hostile and making the rule of law, a mockery. Under section 151 and 152 of Indian Evidence Act, 1872, victims and witnesses are protected from being asked indecent, scandalous, offensive questions, and questions that intend to annoy or insult them. Or else, there is no other provision for protection of witnesses, as against threats, intimidation or any inducement. Very often, when an accused is released on bail, one of the terms and conditions imposed by the Court on the accused is that he shall not tamper any of the evidence, or approach the witnesses engaged in the case. The provided terms and conditions, nowhere comfort or guarantees the protection of witnesses and evidences for being harassed or tampered but that only ensure the trial is not rendered infructuous. Judges also hold in-camera trials to ensure deposition by witnesses without any fear or embarrassment. Recently, the Supreme Court has permitted recording of evidence by video-conferencing. All these are inadequate without a specific legal provision guaranteeing protective measures to victims before the trial and also after the trial[27].

Now, the biggest challenge before the justice system is that how far the above provisions and latest amendments have been understood thoroughly by police, prosecutors, defense lawyers, Judges and at large by the general public is need to measure.[28] But then victim assistance will has yet to receive the light of law in the form of a formal legislation.

2.4 Judicial Pronouncements

In *State of M.P.* v. *Shyamsunder Trivedi*[29], the Supreme Court observed that victim, society suffers with no cause and need to silently go through all injustice and a criminal gets encouraged

[26] *Supra* note 22, pg.2.
[27] *Supra* note 22, pg.2-3.
[28] R.N. Mangoli and Nandini G. Devarmani, "Role of Victims in Criminal Justice System: A Critical Analysis from Indian Perspective" 2014.
[29] (1995) 4 S.C.C. 262.

as they easily get escape points and most of times rights which are kept in mind is only of the accused and not of victims.

In *Hari Singh* v. *Sukhbir Singh*[30], the Supreme Court observed that the power under Section 357 Cr.PC is intended to assure the victim that he is not forgotten in the criminal justice administration. The court recommended that the power of the courts to award compensation under this section be exercised liberally so as to meet the ends of justice in a better way.

The Supreme Court of India has played the most commendable role in evolving compensatory jurisprudence for the victims. The apex court for the first time directed accused to pay Rs. 35,000/- as compensation to victim in the case of *Rudal Shah* v. *State of Bihar*[31]. Thereafter, in *Chairman, Railway Board and Others* v. *Mrs. Chandrima Das*[32], the Supreme Court ordered compensation to the rape victim, who was a Bangladeshi national, by the government for the rape committed in the Yatri Niwas managed by the Indian Railways at Howrah Station. Then again, in *Nilabati Behara* v. *State of Orissa*[33], the Court ordered compensation for custodial killing of the victim by the police in the State of Orissa. In both the cases, the Court held that victim's fundamental rights under Article 21 of the Constitution were violated.

The Supreme Court in four landmark Judgments, namely, *NHRC* v. *State of Gujarat*[34], *PUCL* v. *Union of India*[35], *Zahira Habibulla H. Sheik and Another* v. *State of Gujarat*[36] *and Sakshi* v. *Union of India*[37], has dealt exhaustively with the subject of 'Witness Anonymity' and 'Witness Protection Programmes' and stated that Parliament must consider making a law on the subject at the earliest wherever there is evidence that the life and property of the witness or his relatives are in grave danger.

In view of the above landmark cases, it may be concluded that the role of the Supreme Court is creditable. There is requirement of comprehensive law on victim and also proper assistance of the legislation for enforcing such laws on victim compensation, rehabilitation and executive assistance for better implementation.

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30 (1988) 4 S.C.C. 551.
31 (1983) 4 SCC 141.
32 (2000) 2 SCC 465.
33 AIR 1993 SC 1960.
34 2003(9) SCALE 329.
35 2003(10) SCALE 967.
36 2004 (4) SCALE 375.
37 2004 (6) SCALE 15.

2.5 Victim Protection Schemes in India

Delhi Witness Protection Scheme, 2015

In India, the Delhi Government notified the first such scheme dealing with witness protection. The Scheme makes it mandatory for the investigating agency and courts to inform the witness about this Scheme and also the protections provided therein. The Scheme also provides for nature of protection which may be afforded to witnesses depending on the threat posed to such witness. The Scheme aimed to identify series of measures that may be embraced to safeguard witnesses and their family members from intimidation and threats against their lives, reputation and property. The Scheme further provides for creation of Witness Protection Fund, which will be utilised to meet the expenses incurred during the implementation of Witness Protection Order passed by the Competent Authority. Additionally, specially designed *'vulnerable witness courtrooms'* have been established to obscure the identity of witnesses engaged in the suit.

Witness Protection Scheme, 2018

Of late, in 2018, the Union Government had come up with first ever Witness Protection Scheme which was later approved by the Hon'ble Supreme Court. The state governments are also encouraged to follow the scheme. This scheme provides for the protection of rights of the victim and other witnesses who testify in criminal cases.

The implementation of the 2018 scheme has been problematic and at best asymmetric. Further, in order to have a robust system of victim and witness protection, it is important to have an independent Authority on Protection of Victim at National and State Level and a codified legislation to administer the protection of witnesses in India. This is also to recognize that the victim is the most important person in the entire justice delivery system, in addition to other stakeholders like Judges, Prosecutors, Lawyers and Police Officers. It is victim, who sets the system in motion and for whose benefit the system works. Since access to justice is a constitutional norm, it is vital to ensure that victims get access to justice system, to his/ her satisfaction.

2.6 International Instruments and Statutes

The ***United Nations Convention against Transnational Organized Crime*** deals with protection of witnesses from potential retaliation or intimidation[38]. Further, ***UN Convention against Torture and Other Cruel, Inhuman or***

[38] Article 24.

Degrading Treatment or Punishment provides for protection against torture[39]. ***UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985*** directs states to take measures to minimize inconvenience to victims, protect their privacy and ensure their safety[40]. Similar protection is given in Articles 32 and 37(4) of **UN Convention against Corruption, 2003.**

Further, ***UN Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime*** provides extraordinary protection, assistance and support to child victims and witnesses.

In addition to international instruments, major international criminal tribunals provide for such protection in their statutes. The ***Rome Statute of the International Criminal Court***[41] provides for protection of the victims and witnesses and their participation in the proceedings. It empowers the Court to take appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses.

Victim Protection under International laws[42]

Under the English law, threatening witnesses from submitting evidence is contempt of Court. Any of such act of threat or revenge against a witness, after he has submitted any testimony or evidence in the Court, is also considered as contempt. The U.K. Government has a law known as Criminal Justice and Public Order Act, 1994 that provides with punishment for intimidation and manipulation of witnesses. Section 51 of the Act not only safeguards the person interested in providing evidence or going to submit evidence at a trial, but and also protects a person has who participate in helping or could even help with investigation of a crime. Under a similar law in Hongkong Crimes Ordinance Chapter 200, if the threat or intimidation is found to be directed even as against a friend or relative of the witness, that becomes a punishable offence.

In the United States, the Organised Crime Control Act, 1970 and later the Comprehensive Crime Control Act, 1984, clearly authorizes the Witness Security Program. The Witness Security Reform Act, 1984 provides for repositioning and other protection of a witness or a potential witness in an official proceeding as concerning an organized criminal activity or other serious offence. Protection may also be provided to the immediate family, or a person closely associated

[39] Article 13.
[40] Article 6(d).
[41] Article 68.
[42] *Supra* note 22, pg.3-4.

with such witness or potential witness if the family or person may also be endangered on account of the participation of the witness in the judicial proceeding.

The Australian Witness Protection Act, 1994 establishes the National Witness Protection Program in which the Commissioner of the Australian Federal Police arranges or provides protection and other assistance for witnesses [Section 4]. The witness must disclose information about himself before he is included in the Program. This includes his outstanding legal obligations, details of his criminal history, financial liabilities, assets etc. [Section 7]. The Commissioner has the sole responsibility of deciding whether to include a witness in the Program.

In European countries such as Italy, Germany and Netherlands, the Witness Protection Programme covers organized crimes, terrorism, and other violent crimes where the accused already well-aware of the witness/victim.

2.7 GAPS IN LITERATURE

After reviewing the above literature, the scholar has found gaps in the research which has been already conducted in this area. It is further noticed that scores of issues have been pointed out by the authors related to the practical challenges experienced by the victims in pre-trial and post-trial process in court. These issues have been discussed in detail but they are only based on theories and already settled rules, laws and principles. However, very little empirical work has been found to be done in this area. The best practices laid down by the manual for different frontline stakeholders of the criminal justice system has been remained in abeyance and are not followed in letter and spirit in practice. Some immediate steps are to be implemented by the Indian Government to improve the position of victims in the criminal justice system.

3. RESEARCH PURPOSE AND OBJECTIVES

3.1 PURPOSE OF RESEARCH

"Society is guilty if anyone suffers unjustly" – "**Krishna Iyer J.**"

The purpose of this research is to explore the vulnerable conditions experienced by the victim in the criminal trial process with the overarching goal of highlighting the challenges faced therein and making recommendations on how to better protect the rights of the victims through reforms

and efficient enactment of laws for their inclusion into mainstream society. The researcher intends to highlight the effectiveness of International Laws and witness assistance programmes /initiatives for treating the condition of victims in our adversarial criminal justice system.

Victims' rights, is a basic and important human rights, must not be limited to discuss of powers to victims but also impose obligations on State for enforcement. Otherwise, there are no such rights and they will eventually neglect to empower the victims. Legal protection of rights is necessity in order to defend victims' rights.[43] Without reasonable rights and capacity, victims will stay inarticulate objects of the criminal justice system, forced and burdened to give up their human rights and innocence in the interest of society.

3.2 OBJECTIVES OF THE STUDY

The following shall be the objectives of the proposed research:

1) To investigate who is the victim of crime and its concept after Criminial Law (Amendment) Act, 2008 and its impact till date.
2) To gain knowledge and understand about victims of crime and abuse of power.
3) To outline the rights of the victims in the criminal justice system and compare with rights of accused and highlight the problems experienced by such aggrieved in pre-trial and post-trial stages of criminal trial.
4) To access and analyse the legal provisions related to crime victims prevalent in India and impact of judicial developments on our system.
5) To conduct comparative analysis of the victim assistance programmes followed in USA, UK and European countries with India and suggest measures for improving the protection measures for victims in administration of justice.
6) To study the perceptions and attitude of victims towards our justice system through Survey in the district courts of Delhi.
7) To evolve a draft model law on Victim Protection on lines of legislations enacted in other countries, which recognize "victim participation at all stages of the criminal process".

[43] "Kilpatrick, D.M., Beatty, D., Smith Howley, S. (1998) The Rights of Crime Victims–Does Legal Protection Make a Difference? Washington: National Institute of Justice, U.S.Department of Justice."

8) To relate victimology to the meaning and issues of victims. Consequently, to study the crime along giving importance to the role and responsibility of the victim and his offender.[44]
9) To study and analyse the enormousness of victims' rights and other issues they face in order to seek justice.
10) To enforce a system of measures in form of legislation to reduce victimization.

3.3 SIGNIFICANCE OF THE STUDY

The whole research is intended to study the various aspects surrounding the fundamental base of Victims of Crime and their protection in our criminal justice system. They are the most important part of our justice system. So the study will help understand the real plights of the victim in the courts, procedure and access to justice. This study will also be beneficial to researchers who are doing progressive research in this field on the subject of Victim of crime and Witness Protection. My area of study is 'Victim Centric' and it further tries to bridge the gap between the existing policy framework, the judicial perspective and the evidential analysis of survey.

4. RESEARCH METHODOLOGY

4.1 STATEMENT OF PROBLEM

Our criminal justice system is in motion and working for the victim but without the active involvement of the victim. The system gears up to avenge for the damage or harm suffered by the victim and in that process, victim becomes surrogate for society's quest to penalize, so all the privileges meant for the victim are conferred on the society to avenge and state to prosecute as State subsumes the role of the police as well as prosecution. In the entire process of criminal justice system, victim gets alienated. On the other hand, the offender is seen facing a mammoth state machinery, human rights perspective justifies conferring certain rights on the accused when viewed, the accused vis-à-vis victim, seems to have lot many privileges compared to the victim as rights of the victims have been conferred on the state. So, in between State and the offender, victim feels helpless and for these reasons, victims needs to be empowered in our justice delivery system.

[44] Drishti, Victimology and Emerging Trends of Compensation, available at: https://www.lawctopus.com/academike/victimology-emerging-trends-compensation/#:~:text=Victimology%20is%20a%20relatively%20young,approach%20to%20its%20subject%20matter., (last visited October 10, 2020).

4.2 RESEARCH QUESTIONS

For achieving the aforementioned objectives, the scholar has formulated the following research questions:

1. Whether any development have been brought in the last decade for victim of crimes and their position in criminal justice system after the passing of Criminal Law (Amendment) Act, 2008?

2. Whether the present structure provided for victim protection in India at pre-trial to post-trial stages of criminal trial is sufficient as compared to foreign jurisdictions like USA, UK and other countries?

3. What are the challenges faced by the victims of crime in their interaction with the functionaries of the Criminal Justice System like Police, prosecution, Judges and Lawyers in the adversarial system?

4. Whether victims of crime be protected by way of a distinct legislation in India?

4.3 RESEARCH HYPOTHESIS

Hypothesis is an important component. Without hypothesis a research is unfocused. It is an aid to legal research process thereby making the result more accurate and specific. The desirability and feasibility of implementation of framework protecting of rights of victim in India needs to be scrutinized. Therefore, the assumption would be-

"The protection of victims of crime in the existing system is not sufficient and there is a need to develop a suitable legislation on Victim Protection which recognizes victim participation at all stages of the criminal process".

4.3.1 Test for Hypothesis

It would be tested by the Questionnaire method. The questions would be based upon different factors such as awareness about the justice system, plights of the victims in the Delhi Courts along with the awareness of the justice system, socio-economic and personal factors related to access to justice, their plights in the system.

4.4 SAMPLING TECHNIQUE

The technique of sampling used by the researcher in this work to select the respondents randomly from the targets population is would be Simple Random Sampling Technique which is a type of Probability Sampling Technique. In this technique, researcher would select randomly judges, prosecutors, Police Officers and Victims from the population and divide the population into groups.

4.5 TOOLS OF DATA COLLECTION

The method for collection of data would be Quantitative approach and data is based on Questionnaire method followed by Case Study method. Thus Primary source of data will be used. The Questionnaire method will be performed in two ways i.e. electronic and paper form. Both the methods are very practical and give clarity as to the human behaviour and mind. The kind of question structured would be a combination of close form, dichotomous, multiple choice. The respondents would be contacted directly. The Respondents would be comprising of victims of crime, Complainants including functionaries of CJS i.e. Judges, Prosecutors, Lawyers and Police Officers. The flow of questions was from General to specific. The Shortcoming of questionnaire method can be that of willingness of people to answer.

4.5.1 DESCRIPTION OF SAMPLES AND SAMPLE SIZE

For non-doctrinal study, the District Courts situated in National Capital Territory of Delhi will be used as the universe of Sample, which are:

1. Tis Hazari Court Complex
2. Patiala House Court Complex
3. Saket Court Complex
4. Dwarka Court Complex
5. Karkardooma Court Complex
6. Rouse Avenue Court Complex
7. Rohini Court Complex

DESCRIPTION OF SAMPLES i) 50 Victims will be interviewed from each District court complex relating to various types of criminal offences / organized crimes such as Murder, Rape, Robbery, Dacoity, Personal Violence, Theft, Cheating etc. = Total 350 Victims.

ii) 5 Judges posted in criminal courts from each District court complex = Total 35 Judges.

iii) 10 Public Prosecutors posted in criminal courts from each District court complex = Total 70 Prosecutors.

iv) 30 police persons/Investigation Officers connected with the above cases from each District court complex = 210 Police Persons.

Techniques of Data Collection: i) Interview schedule: self-made ii) Observation techniques iii) Questionnaire iv) Intensive Case study method analysis and Interpretation of Data: i) Tabulation of data ii) Graphical Representation of Data iii) Findings, Conclusion, and Suggestions.

4.5.2 DATA ANALYSIS

Quantitative data analysis shall be carried out with the aid of Statistical Product & Service Solution package version 20.0 (SPSS 20.0). The data will be analyzed using the tabular format. Graphical representations of the data collected will also be provided.

4.6 TENTATIVE SCHEME OF CHAPTERIZATION

First chapter is Introduction: It deals with the whole issue in theoretical and broader context. The chapter would also cover the social and political hurdles in bringing the witness protection to the appropriate forum, plights they face in the adversarial system. It will try to incorporate the root cause of the problem as to what are the factors which affect the witness in access to justice.

Second chapter is about understanding the Meaning and Concept of Victim: It will focus on Concept of victim prevalent before the amendment and development of the concept of victim and its impact after the Criminal Law (Amendment) Act, 2008 until date. It would be discussed through the help of legal provisions, new special laws like POSCO etc., which has been enacted to protect the rape victim, Law Commission Reports, Judicial Activism by Supreme Court and Government Schemes with special focus on Witness Protection Scheme, 2018.

Third chapter is Rights of Victims: This Chapter would discuss the rights which victim has in the trial process and what more rights should victim possess and are deprived of for fair trial and access to justice vise-a-visa rights of the accused.

Fourth chapter is problem faced by the victims in courts from prosecutor's perspective: This chapter will be focusing on the basic ground reality from practical experiences of the authors being Public Prosecutors. As highlighting the plights of the victims in the adversarial system and followed by the critical analysis of the existing system, which is in a way hostile to the victim, at times making them a mere spectator to the entire scripted story of the police and reducing their role to one among the prosecution witness. The relevancy of this paper comes at the time where even rape victims are finding it difficult to start the criminal motion by not getting the FIR registered as in the case of Unnao rape victim and being victimized more in the hands of the mighty opponents. It will highlight the methodologies applied in completing the study along with the data analysis, interpretation and discussion. This will be supported with the Survey of victim's problems and challenges in District court complexes of Delhi.

Fifth Chapter is Victim Protection – A Comparative Analysis: It looks in to the development in Indian law regarding Victim of Crime and Witness Protection through different Indian Laws by which rights of the victims are protected. It further throw light on the International Position of Protection of Victim and Witness. An attempt will be made to undertake a comparative study of the various laws and procedures of various countries and institutions of the world like USA, United Kingdom, China, European Union, Canada, Thailand, Australia, South Africa etc. This chapter will critically analyse the various provisions of laws with respect to witness protection. It will also elaborate the remedies available to plight of victims and propose need for Victim Protection Law.

Sixth chapter is Conclusions and Suggestions: This chapter will sum up the findings and incorporate the suggestions made regarding the witness protection in various domestic and worldwide documents. It would also propose a model law on Framework for the Victim Protection and suggesting policy framework including legal and legislative framework.

Last will be **Annexure:** It would have the Questionnaire copy with the responses from the Victims of crimes, various functionaries of Criminal Justice System on the practical as well as professional hurdles faced by them in the adverbial system towards victims of crime vis a vis the accused.

4.7 SCOPE AND LIMITATION OF THE STUDY

The research work seeks to highlight the developments of concept of victim after insertion of definition of victim by the Criminal Law (Amendment) Act, 2008. This work studies, discuss and analyze the problems faced by the witnesses during criminal trial in our criminal justice system in pre-trial, during trial and post-trial process. It also discusses the legal framework, schemes and programs for witness protection and its components in international jurisdictions by making comparison with position and status of victims in India.

The Empirical Study is the prime highlight of the work which will study the perceptions and attitude of witnesses in pre-trial and post-trial process with special reference to conditions of victims prevalent in all the District Courts of NCT of Delhi. However, the generalization of findings of the study on all the geographical locations of the nation and on the entire population of witnesses may not be possible.

4.8. EXPECTED OUTCOME OF THE RESEARCH

The victims of crime have gained attention of lawmakers worldwide. Many countries have enacted legislations exclusively addressing the needs of crime victims. In India, the movement for recognizing needs of crime victims has started after UN Declaration came into existence. The judiciary has played a major role in establishing victims of crime as a separate stakeholder in the criminal justice process. The Judiciary marched ahead of legislature in evolving and conferring procedural rights on crime victims. Such proactive step of judiciary was supported by various recommendations of Law Commission and Malimath Committee.

Of late, the Legislature has brought some key changes in the procedural criminal law to address the plight of crime victims. Making crime reporting mandatory, giving opportunity to victim's counsel to appear before the court, providing independent right to victim to appeal, award of compensation even in cases where the accused is not traced or where accused is acquitted/discharged, Victim Compensation Scheme are some of the key changes of recent past in the Code of Criminal Procedure. Now, the victims are not seen merely as an informant or witness of prosecution but they are holders of such procedural rights which can move the machinery of criminal justice on their own. But still the country hope for a codified law on victim protection on the line of legislations enacted in other countries which recognize victim participation at all stages of the criminal process.

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Short Synopsis ADITYA TREHAN 9.11. 2020

by Aditya 3 Trehan

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SHORT SYNOPSIS

ON

JUSTICE FOR VICTIMS OF CRIME- A COMPARATIVE STUDY

-: SUBMITTED BY :-

ADITYA TREHAN

REGN. NO. - 2K20-PFL-006

-: SUPERVISED BY :-

PROF. (DR.) VERSHA VAHINI
HEAD, FACULTY OF LAW

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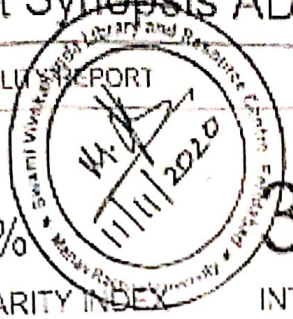

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Researcher : ADITYA...TREHAN

Registration Number : .21520-AE-4-006

Supervisor : Dr. VERSHA VAHINI.

Department : ....LAW.....

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Comprehensive Review Report

1. Name of the Scholar : **ADITYA TREHAN**
2. Department : **FACULTY OF LAW**
3. Date of Registration : **18.01.2020**
4. Enrollment No : **2K20-PFL-006**
5. Name of the Supervisor : **Prof. (Dr.) VERSHA VAHINI**
6. Name of the Co-Supervisor : -----
7. Research Area : **Rights of Victims**

8. Comments:

a. **Approved the area and topic of research, proposed by the candidate. However candidate was asked to modify the title in consultation with the guide and SRC.**

b. **Short Synopsis containing Review of literature, Research Problem, Questions, Methodology and Chapterization was approved.**

c. **Go ahead was given to conduct further research.**

Chairperson DRC
Dr. Versha Vahini

DRC Member(s)

As directed, the SRC and the supervisor finalized the title '**JUSTICE FOR VICTIMS OF CRIME – A COMPARATIVE STUDY**' Approval given by the DRC members- Prof. Badruddin Ahmed, Prof. Jose P. Verghese, Mr. Ravikant Vasudev, Dr. Somdutt Bhardwaj, Dr. Seema Gupta and Dr. Tarundeep Kaur.

Note: Send a copy of duly filled report to:
a) DRC Members
b) Ph.D Scholar
c) Ph. D Office
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